

Farmland Protection Policy Act (FPPA):

The aim of the FPPA is to minimize Federal Programs (including technical or financial assistance) contribution to the conversion of important farmland to non-agricultural uses. The act seeks to encourage alternative, if possible, that would lessen the adverse effects to important farmlands. Important farmlands are lands with soils that are identified as prime and unique or of statewide and local importance.

For more information on the FPPA:

http://policy.nrcs.usda.gov/scripts/lpsiis.dll/M/M_440_523.htm

http://policy.nrcs.usda.gov/scripts/lpsiis.dll/M/M_440_523_F_Glossary.htm

There are two forms used to assess a project's impact on prime farmland: AD-1006 (http://policy.nrcs.usda.gov/scripts/lpsiis.dll/M/M_440_523_F_AD-1006.pdf) and NRCS-CPA-106 (http://policy.nrcs.usda.gov/scripts/lpsiis.dll/M/M_440_523_F_CPA-106.pdf). Form NRCS-CPA-106 is used when dealing with corridor projects. A corridor project is defined as "Developments or projects that are designed to carry services or materials between two distant points and stream improvement or flood control projects that change farmland use." Both forms require that parts I, III and VI be completed by the preparer of the environmental document.

If the total point value for Part VI is less than 60 points for each of the project's alternatives, then Part V (to be filled out by the NRCS only if Part VI is 60 points or more) is automatically assigned a point value of 100. In these cases, the Form AD 1006/NRCS-CPA-106 will not be forwarded to the NRCS, since the total point value of the project will be 159 or less. For these projects which fall into this category of less than 60 points for Part VI, the following statement should be included in the environmental document:

Farmland Conversion Impacts: As is required by the Farmland Protection Policy Act, the NRCS has been coordinated with and the Form AD-1006 has been completed (see pg.). Since this project received a total point value of less than 160 points, this site will receive no further consideration for farmland protection. No other alternatives other than those already discussed in this document will be considered without a re-evaluation of the project's potential impacts upon farmland. This project will not have a significant impact to farmland.

For projects where the point value of Part VI is 60 points or more, Form AD-1006/CPA-106 will be forwarded to the NRCS with the early coordination questionnaire. Part VI will be evaluated and assigned points and then totaled in Part V. The NRCS is required by the FPPA to reply within a 45 day response period. In the cases where the NRCS fails to respond within 45 calendar days, the project can proceed as though the FPPA requirements did not apply. However, in these cases it is still necessary to consider the impacts to farmland, so as to comply with the NEPA requirements. The project's environmental document should identify the farmland impacts and mitigation measures, and summarize the coordination undertaken with the NRCS. The environmental document should also include a statement that (1) the NRCS failed to provide the land evaluation

information within 45 days, and (2) therefore, in accordance with NRCS regulation [7 CFR 658.4(a)(2)], FPPA does not apply.

Should the point value of those projects evaluated by the NRCS exceed 160 points, a discussion of the mitigation to reduce the impacts of the loss of prime farmland should be included in the body of the document in the appropriate section.

When land which is used for agricultural purposes is not considered as prime, unique or of statewide or local importance will be converted, the requirements of the FPPA do not apply. Therefore, the form AD-1006 is not required. The designations of whether or not land is of prime, unique or of statewide or local importance are given on the NRCS early coordination response in Appendix D. At this time no unique or farmland of local importance exists in Indiana.

When this situation is applicable to the project, the following statement should be included in the environmental document.

Farmland Conversion Impacts: Although **XXXXX** acres of land currently being used for agricultural purposes will be converted as a result of this project, it is not considered to be prime, unique or of statewide or local importance. Therefore, the requirements of the Farmland Protection Policy Act are not applicable. The form AD-1006/CPA-106 is not required. No other alternatives other than those already discussed in this document will be considered without a re-evaluation of the project's potential impacts upon farmland. This project will not have a significant impact to farmland.